

2006 ANNUAL REPORT

# Progress Through Unity



*Working Toward  
Common Goals*



JUDICIAL COUNCIL  
OF CALIFORNIA

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OF CALIFORNIA

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The Judicial Council's 2006 *Annual Report* summarizes the achievements of the California judicial branch as well as key trends in court workload and budget allocations for fiscal year 2005. The online version of the report contains numerous links to the California Courts Web site ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)) for more detailed information. A companion online publication, the *Court Statistics Report*, provides detailed 10-year statistical caseload and trend data on a wide variety of court business as well as caseload data for each superior court, the Courts of Appeal, and the Supreme Court.

On the cover: (Left to right) William C. Vickrey, Administrative Director of the Courts; Judge William J. Murray, Jr., Superior Court of San Joaquin County; Judge Donna J. Hitchens, Superior Court of San Francisco County; Chief Justice Ronald M. George; Associate Justice Carlos R. Moreno, California Supreme Court; Judge Terry B. Friedman, Superior Court of Los Angeles County, and President, California Judges Association; Presiding Justice Candace D. Cooper, Court of Appeal, Second Appellate District, Division Eight; and James O. Heiting, President, State Bar of California.

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# *Judicial Council of California 2006 Annual Report*

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## *Judicial Council of California Members, 2005*

### CHAIR

Hon. Ronald M. George  
*Chief Justice of California*

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*Associate Justice of the Court of Appeal  
Fourth Appellate District, Division One*

Hon. Eileen C. Moore  
*Associate Justice of the Court of Appeal  
Fourth Appellate District, Division Three*

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*Assistant Presiding Judge of the  
Superior Court of California,  
County of Los Angeles*

Hon. Michael T. Garcia  
*Judge of the Superior Court of California,  
County of Sacramento*

Hon. Suzanne N. Kingsbury  
*Presiding Judge of the Superior Court of  
California, County of El Dorado*

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*Judge of the Superior Court of California,  
County of Los Angeles*

Hon. Barbara J. Miller

*Presiding Judge of the Superior Court of  
California, County of Alameda*

Hon. Douglas P. Miller  
*Judge of the Superior Court of California,  
County of Riverside*

Hon. Dennis E. Murray  
*Presiding Judge of the Superior Court of  
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*Judge of the Superior Court of California,  
County of San Joaquin*

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*Judge of the Superior Court of California,  
County of Los Angeles*

Hon. Richard E. L. Strauss  
*Judge of the Superior Court of California,  
County of San Diego*

### LEGISLATURE

Hon. Joseph Dunn  
*Member of the Senate*

Hon. Dave Jones  
*Member of the Assembly*

### STATE BAR

Mr. Anthony P. Capozzi  
*Attorney at Law*

Mr. Thomas V. Girardi  
*Attorney at Law*

Mr. Rex S. Heinke  
*Attorney at Law*

Ms. Barbara J. Parker

*Chief Assistant City Attorney, City of  
Oakland*

### ADVISORY MEMBERS

Hon. Ronald E. Albers  
*Commissioner of the Superior Court of  
California, County of San Francisco*

Ms. Tamara Lynn Beard  
*Executive Officer, Superior Court of  
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Ms. Deena Fawcett  
*Clerk/Administrator of the Court of Appeal  
Third Appellate District*

Hon. Terry B. Friedman  
*Judge of the Superior Court of California,  
County of Los Angeles*

Hon. Frederick Paul Horn  
*Presiding Judge of the Superior Court of  
California, County of Orange*

Mr. Alan Slater  
*Chief Executive Officer, Superior Court of  
California, County of Orange*

Ms. Sharol H. Strickland  
*Executive Officer, Superior Court of  
California, County of Butte*

### ADMINISTRATIVE DIRECTOR

#### OF THE COURTS

Mr. William C. Vickrey

# *Judicial Council Advisory Committees and Task Forces*

## *Administrative Office of the Courts Directors, 2005*

### ADVISORY COMMITTEES

Access and Fairness Advisory Committee  
Administrative Presiding Justices Advisory Committee  
Advisory Committee on Civil Jury Instructions  
Advisory Committee on Criminal Jury Instructions  
Appellate Advisory Committee  
Civil and Small Claims Advisory Committee  
Collaborative Justice Courts Advisory Committee  
Court Executives Advisory Committee  
Court Interpreters Advisory Panel  
Court Technology Advisory Committee  
Criminal Law Advisory Committee  
Family and Juvenile Law Advisory Committee  
Governing Committee of the Center for Judicial  
Education and Research (CJER)  
Judicial Service Advisory Committee  
Probate and Mental Health Advisory Committee  
Traffic Advisory Committee  
Trial Court Presiding Judges Advisory Committee

### TASK FORCES

Appellate Indigent Defense Oversight Advisory  
Committee  
Court Facilities Transitional Task Force  
Domestic Violence Practice and Procedure Task Force  
Legal Services Trust Fund Commission  
Task Force on Judicial Ethics Issues  
Task Force on Self-Represented Litigants

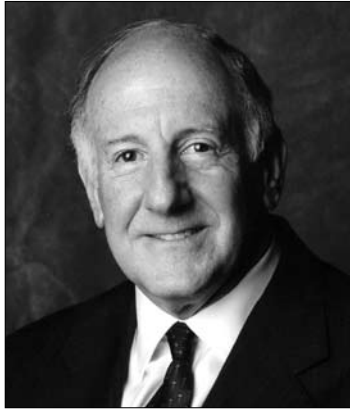
### ADMINISTRATIVE OFFICE

#### OF THE COURTS

William C. Vickrey  
*Administrative Director of the Courts*  
Ronald G. Overholt  
*Chief Deputy Director*  
Michael Bergeisen  
*Deputy Administrative Director and General Counsel,  
Office of the General Counsel*  
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*Director, Office of Court Construction and Management*  
Ernesto V. Fuentes  
*Director, Human Resources Division*  
Christine M. Hansen  
*Chief Financial Officer and Director, Finance Division*  
Kathleen T. Howard  
*Director, Office of Governmental Affairs*  
Diane Nunn  
*Director, Center for Families, Children & the Courts*  
Kenneth L. Kann  
*Acting Director, Executive Office Programs Division*  
Marcia M. Taylor  
*Director, Appellate and Trial Court Judicial  
Services Division*  
Karen M. Thorson  
*Director, Education Division/CJER*  
Patricia M. Yerian  
*Director, Information Services Division*

### REGIONAL DIRECTORS

Sheila Calabro  
*Regional Administrative Director, Southern Region*  
Christine Patton  
*Regional Administrative Director, Bay Area/Northern  
Coastal Region*  
Michael Roddy  
*Regional Administrative Director, Northern/Central Region*



RONALD M. GEORGE



WILLIAM C. VICKREY

## State of the Judiciary

### *Message from the Chief Justice and Administrative Director of the Courts*

Dear Friend of the Courts:

The year 2005 began with tremendous discussion and debate within the court family and the legal community on how to protect our court system for the next generation of Californians. Driven by the Judicial Council's Operational Plan, which was approved in 2003 and developed over a period of time, these discussions focused on a number of bold ideas to promote equal access to justice, clarify the accountability of the judicial branch, and better serve the public.

Through the unified efforts of the Judicial Council, the State Bar, the California Judges Association, court executive officers, and appellate and trial court leaders, the first definitive steps were taken toward revising article VI, the judicial article of California's Constitution, to protect the public's access to impartial courts and to establish the judiciary as a co-equal branch of government while providing for appropriate accountability to the public for the fair and effective administration of justice.

And, for the first time, these organizations convened their major conferences at the same time in the same location, bringing the principal entities of the judicial branch together, with unprecedented opportunities for exchanging ideas and views.

In December 2005, the Judicial Council voted unanimously to sponsor proposed changes to the constitution that would accomplish several specific goals. Under the proposed revision, the Legislature would be required to provide a sufficient number of judges, to allow full access to the courts for California's growing population. Another change would establish a neutral judicial salary commission to keep salaries current and minimize the perception that the process is influenced by politics. The proposed changes would also strengthen financial stability for the courts by placing the judicial branch's funding process in the state Constitution.

While these important policy- and values-driven ideas to ensure accessibility to our courts likely will take years to implement, a number of short-term solutions were authorized in 2004 and others advanced in 2005 as legislative proposals. These proposals ranged from creating 150 critically needed new judgeships, addressing judicial salaries that have fallen far behind those of other public lawyers, expanding statewide self-help services, increasing access to interpreters in civil cases, and improving the judicial retirement system to ensure that we can attract and retain the best, most experienced individuals to serve as members of California's judiciary.

To ensure that the judicial branch is serving the public well and using public resources properly, we conducted the first survey in more than a decade of public and attorney attitudes about California's court system. The results of the 2005 *Trust and Confidence in the California Courts* survey indicated that our courts have made significant improvement in their fundamental quest to improve access and fairness. The survey found that 67 percent of Californians approve of the job that our courts are doing, a significant improvement over 1992 when a similar survey found that less than 50 percent of the public held an overall positive opinion of the courts. While this is good news, the survey also helped us learn more about where we could and should make improvements to better serve the community. In response, the Judicial Council developed a list of eight short-term strategies in June for improving public trust and confidence that could be addressed over the following 12 to 18 months. These strategies, which include reducing case delays and continuances, expanding services to non-English-speaking court users, and improving the judicial process in high-volume courts, have been referred to the council's advisory committees for follow-up.

Creating the statewide administrative infrastructure to improve the effectiveness and efficiency of court operations continued apace. Initiatives in the areas of common case management systems, data integration and exchange systems, and uniform fiscal accounting and reporting systems for the courts, while not yet complete, have progressed significantly as a result of strong partnerships between court leaders at the local and state levels.

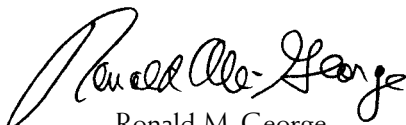
The last of three major reforms of the California court system—the transfer of ownership and management responsibility for court facilities from the counties to the state—is well under way but still faces major challenges on

transfers and funding. Along with the shift to state funding of the trial courts and unification of the superior and municipal courts into a single trial court system, these historic reforms have strengthened the judicial branch's constitutional authority and independence.

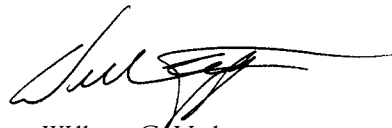
For the long term, the crucial first steps have been taken to initiate a thoughtful discussion with legislative leaders and the public on how to revise the state Constitution to firmly and *institutionally* establish the judiciary as a co-equal branch of government, which can ensure the public's right of equal access to fair and impartial courts.

The vigorous debate inside our court family on these and other issues is important to making the right decisions at the right level, developing consensus, and having the strength of leadership throughout the judicial branch—in the trial and appellate courts, and in the bar—needed to expand participation and facilitate progress. It is through this process that important progress was made in 2005, building a strong platform for the judiciary that will guide discussion and advance positive outcomes on issues large and small for years to come.

One of the nation's leading judicial reformers of the 20th century, New Jersey Chief Justice Arthur T. Vanderbilt, observed, "Justice reform is not for the short-winded." In an environment of legislative term limits, meaningful changes are difficult to implement. We will therefore maintain our concerted efforts to develop a consensus with the legislative and executive branches of government, as well as support from the public and its many representatives. In doing so, our judicial branch of government will be fulfilling its commitment to an agenda of critical self-evaluation and reform to ensure equal access to fair and consistent justice for all Californians.



Ronald M. George  
Chief Justice of California and  
Chair of the Judicial Council



William C. Vickrey  
Administrative Director of the Courts





## 2005 YEAR IN REVIEW

The year 2005 may be remembered as a milestone for California's judicial branch, one in which its leaders took significant steps to strengthen the judiciary. Through the unified effort of the Judicial Council, the State Bar, and the California Judges Association, an agreement was reached on a proposal to amend article VI of the California Constitution, which governs the workings of the judicial branch.

Starting with a day-long, broadly representative educational workshop in February, the Judicial Council agreed in December to sponsor legislation to amend article VI to incorporate the goals of promoting access to justice, ensuring the neutrality and independence of the judicial branch, and creating appropriate accountability within the branch for the fair and effective administration of justice. If approved by voters, the amendments will transform the

judicial branch into a truly separate and co-equal branch of government and institutionally protect it from being treated as if it were simply another state agency.

During 2005, the Judicial Council, the State Bar of California, and the California Judges Association came together for the first time and held concurrent meetings in September in San Diego. This meeting of the minds provided an opportunity for leaders of all three groups to exchange ideas, understand each other's viewpoints, and develop some common ground for unity in improving the administration of justice. A similar meeting is planned for 2007.

Other highlights of the year include:

- Passage of the Uniform Civil Fees and Standard Fee Schedule Act of 2005 (Assem. Bill 145; Stats. 2005, ch. 75), which consolidated surcharges and



made filing fees uniform across the state's 58 counties.

- Approval of plain-language criminal jury instructions to replace the often confusing legal terminology traditionally used in California trial courts for the past 70 years.
- Release of the results of *Trust and Confidence in the California Courts: A Survey of the Public and Attorneys*, showing a significant increase in the number of people having a positive attitude about California courts.
- Celebration of the 100th anniversary of the California Courts of Appeal with educational exhibits and artifacts displayed at the six appellate districts, a historical booklet, and commemorative court session.

The work of the Judicial Council and the Administrative Office of the Courts is guided by six strategic goals, first adopted in 1992 and refined in 2000.

#### GOAL: INDEPENDENCE AND ACCOUNTABILITY

The judiciary will be an institutionally independent, separate branch of government that responsibly seeks, uses, and accounts for public resources necessary for its support. The independence of judicial decision making will be protected.

## Fundamental Changes to Constitution Proposed

After a year of intensive study and consultation, the Judicial Council voted in December to sponsor a proposal to amend article VI of the state Constitution, the section governing the judicial branch. The proposal would accomplish the following:

- **JUDICIAL BUDGETS:** Financial stability for the courts would be guaranteed by placing the judicial branch's funding mechanism

in article VI rather than leaving it subject to statute.

- **JUDGESHIPS:** The Legislature and the Governor would be required to provide a sufficient number of judges to ensure access to the courts while the council would report to the Legislature on standards concerning the number of judges needed.
- **COURT FACILITIES:** Article VI would be clarified to specify that the Judicial Council has the authority to oversee California's more than 450 court facilities. This authority is now contained in statute.
- **STATE BAR:** Current language would be amended to recognize that the California Supreme Court has inherent and primary authority over bar admission and the discipline of attorneys, and that the State Bar serves as the administrative arm of the high court.
- **JUDICIAL SALARIES AND ELECTIONS:** A neutral salary-setting commission would be established as an objective and independent way to set salaries for judicial officers. The amendments also would create an incentive for governors to fill a bench vacancy early in the process and provide that a new judge generally would serve at least two years before facing the electorate.
- **JUDICIAL COUNCIL:** Article VI would recognize that the Judicial Council acts to improve the administration of justice and promote access to the fair and effective administration of justice. The amendments also would clarify the council's budgetary responsibilities and other administrative duties, change the council's membership by adding three more superior court judges and one nonvoting superior court administrator, and establish procedures for appointing council members, specifying that four of the voting superior court judges would be appointed from nominations by the superior court presiding judges.
- **ACCOUNTABILITY:** In addition to other provisions creating increased accountability, responsibility, and access, the amended

article VI would provide for the Chief Justice to present an annual State of the Judiciary address setting forth the condition of the court system. The Chief Justice is currently invited to do so at the discretion of the Legislature.

## Historic Judicial Branch Conference Held

In September 2005, the Judicial Council held its annual Statewide Judicial Branch Conference in conjunction for the first time with the 2005 California Judges Association (CJA) Annual Meeting and the 2005 State Bar of California Annual Meeting. This collaborative event was historic for the judiciary and the bar and provided unique opportunities to meet, learn, and exchange ideas and insights with fellow judicial officers, court management professionals, and justice system partners from the State Bar and the CJA. The independence of the judicial branch, public trust and confidence, and improving access to justice were among the key themes at these events. Holding these events concurrently not only achieved economies of scale but also represented a comprehensive effort and focused judges, attorneys, and other members of the judicial branch on significant issues. This collaborative event also provided numerous opportunities to share knowledge and insights on issues affecting the justice system and contributed to a common goal—strengthening the judicial branch to best serve all Californians.

## Agreement Reached on Undesignated Fees and Civil Assessments

Assembly Bill 139, operative July 19, 2005, resolved long-standing differences relating to undesignated fees and redirects civil assessment revenue from the counties to the courts. A collaborative working group of judicial officers, court administrators, and AOC staff was formed to address the many issues pertaining

to implementation of AB 139 (Stats. 2005, ch. 74), including establishment of a statewide enhanced civil assessment program, distribution of fee revenue, cash flow issues, and items related to the uniform civil fee legislation (AB 145) affected by the undesignated fees compromise. The working group developed recommendations for implementing AB 139 and establishing a statewide enhanced civil assessments program. These recommendations include provisions relating to criteria for an effective civil assessments program and a methodology for distributing civil assessments and certain specified fees collected.

## New Model Aids Underfunded Courts

The Judicial Council approved a new methodology that will be used to address funding needs for the most under-resourced courts and those with growing workloads due to population increases. The new Resource Allocation Study (RAS) model allows for the comparison of resource needs throughout the state's 58 trial courts. The comparison is based on each court's weighted filings and standards, which are derived from average court resources required to process the filings. For 2005, the methodology meant an extra \$13.8 million divided among 26 superior courts whose normal share of state resources doesn't address their growing workloads. Developed after a comprehensive statewide study, the methodology may be adjusted in the future to take into account performance and input from the courts.

## Statewide Accounting System Well Under Way

The number of superior courts using the SAP financial system selected by the AOC and trial court leaders continued to expand. Starting in the summer, the Superior Courts of Fresno, Kern, Marin, Solano, Ventura, and Trinity Counties went live on the Court Accounting and Reporting System (CARS), bringing the

total number of courts on CARS to 23. CARS enables courts to accurately maintain control of their own expenditures and provide timely access to information about their fiscal need while complying with policies, procedures, regulations, and other standardized processes. Hosted in the California Courts Technology Center in Newark, CARS will be implemented in all 58 California trial courts over the next three years.

## Debt Collection Program Proves Successful

A statewide program developed by the AOC in collaboration with trial courts and counties to collect delinquent court-ordered fines, fees, penalties, and other charges brought in \$63 million in fiscal year 2004–2005, a 64 percent increase in collections over the previous year. The program is operated with the cooperation of the state Franchise Tax Board. Contracts with private vendors were also approved for ongoing collection of court-ordered debt and hard-to-collect cases or cases about to be discharged.

The AOC's enhanced collections unit also provided technical assistance to courts and counties with the development of collection programs and reporting requirements, and implementation of civil assessment programs.

### **GOAL: ACCESS, FAIRNESS, AND DIVERSITY**

All Californians will have equal access to the courts and equal ability to participate in court proceedings, and will be treated in a fair and just manner. Members of the judicial branch community will reflect the rich diversity of the state's residents.

## Public Survey Helps Set Priorities

To assess how well the courts are working, more than 2,400 California households and 500 practicing attorneys were surveyed to find out how they feel about the courts and how they use these institutions. The results of the public trust and confidence survey were released at the Statewide Judicial Branch Conference in September. Among other things, the survey found that 67 percent of Californians approve of the way the courts are conducting business, an impressive improvement from 1992 when a similar survey found less than 50 percent of the public had a positive opinion of the courts. The survey also found that Californians believe the fairness of the judicial process is more important than the outcome of cases while attorneys feel outcomes matter the most. The survey also found that California courts should strive to improve customer satisfaction in family, juvenile, and traffic cases and enhance the use of the Internet for conducting court business and relaying information.

In September, the Judicial Council directed its staff agency and advisory committees to immediately explore short-term strategies for improving public trust and confidence in the courts over the next 12 to 18 months.

## Program for Court Interpreters Expanded

At any given time, California courts may need to provide interpreter services in as many as 224 different spoken languages for those who have limited or no proficiency in English. To address this need, the Court Interpreters Program expanded recruitment and outreach efforts to address the growing gap between the number of spoken languages and the available interpreter services. AOC staff initiated a series of meetings with educational institutions in an effort to increase training programs and develop additional examination opportunities to expand the pool of interpreters.

Five mandatory interpreter ethics workshops were conducted in 2005 for newly certified and registered interpreters. Under the direction of a panel of attorneys and superior court judges, these workshops dealt with issues of interpreter accuracy, impartiality, and confidentiality, as well as legal guidance and professional relationships. All certified and registered interpreters are required to complete an ethics workshop within their first two years of becoming certified or registered to ensure that the highest levels of ethical standards are maintained. In addition, two mandatory orientation workshops for registered interpreters were completed in 2005. The workshops covered issues of criminal and civil procedures, legal terminology, and skills and modes of interpreting.

Designated languages are those for which a certification exam must be passed to demonstrate a certified interpreter's ability to interpret between English and the target language. Nondesignated languages are those for which a certification exam does not exist and the registered interpreter need only pass an exam to demonstrate proficiency in English. Based on data submitted by the trial courts, it is estimated that statewide 1,270 certified court interpreters provided a total of 185,118 court interpreter service days in the following 12 certified languages: Arabic, Eastern Armenian, Western Armenian, Cantonese, Japanese,

Korean, Mandarin, Portuguese, Russian, Spanish, Tagalog, and Vietnamese. A total of 8,576 court interpreter service days were provided by the 389 registered court interpreters for the 128 nondesignated or newly designated languages needed in the courts.

## Judicial Council Meetings Live on the Web

As part of its continuing effort to improve access to the judicial branch, the Judicial Council since 2004 has provided on the California Courts Web site live and archived audiocasts of all of its business meetings. Judges, court administrators, and branch stakeholders are able to listen to the council deliberations as they happen or to focus on select items following the meetings. Agendas, reports and supporting materials, and minutes from previous meetings are also available on the council's meeting page.

### **GOAL: MODERNIZATION OF MANAGEMENT AND ADMINISTRATION**

Justice will be administered in a timely, efficient, and effective manner that utilizes contemporary management practices; innovative ideas; highly competent judges, other judicial officers, and staff; and adequate facilities.

## Transfer and Construction of Court Buildings Challenge Court Leaders

Pressing facilities issues continued to affect California's courts, straining the branch's ability to bring justice to all in equally safe, secure, and accessible environments. In response, the Judicial Council and court leaders took legislative and policy actions throughout 2005 to increase resources for court facilities and address serious, branchwide courthouse infrastructure problems. The Judicial Council pursued two critical pieces of court facilities legislation: a bond bill to fund

the necessary courthouse improvement projects indicated in the five-year infrastructure plan and legislation revising the Trial Court Facilities Act to make possible the transfer of court buildings with an "unacceptable seismic safety rating" by the AOC's 2003 seismic assessment program. Without adequate funding of court construction projects and expedited transfers, many courts will continue to struggle in overcrowded and inadequate working conditions.

Progress continued at a slow pace on the transfer of over 450 trial court facilities from county to state governance. The AOC is currently negotiating with over 35 counties and, since the inaugural transfer of the Larson Justice Center, has finalized additional transfers in Riverside, Mono, and San Joaquin Counties. The deadline for completing all transfers of court facilities is June 2007. In 2005, the Judicial Council also secured legislative authorization for acquisition, lease-purchase, or construction of a new East Contra Costa courthouse, a juvenile delinquency court in the city of Fresno, and a new courthouse in the city of Merced.

In 2006, the Judicial Council will pursue authorization for courthouse projects for the Superior Courts of Plumas and Mono Counties, in addition to funds for additional phases of the East Contra Costa County courthouse and the renovation of the B. F. Sisk Federal Court Building in the city of Fresno. AOC staff also will present new facilities design and construction standards for Judicial Council approval and continue to work toward bond financing for courthouse construction projects and resolution of the seismic issues affecting transfers.

AOC staff has been involved in technical assistance and in encouraging county projects in excess of \$180 million worth of design and construction work. During the past year, the AOC also has developed solutions for local funding of small renovation and capital projects.

## Construction Proceeds for New Appellate Courthouses

The Judicial Council and California Public Works Board approved acquisition of a site in the city of Santa Ana for construction of a new courthouse for the Fourth Appellate District, based in Orange County. In addition, bids were received and a contract issued for construction of a new courthouse for the Fifth Appellate District, based in the city of Fresno, with occupancy scheduled for the spring of 2007.

## Trial Court Facilities Standards Prepared

In 2005, the Office of Court Construction and Management prepared standards for the design and construction of court facilities, entitled *California Trial Court Facilities Standards* (2006 edition). These standards reflect the expectations for the basic components and design principles for trial court buildings. If adopted by the Judicial Council, these standards will be used in the design and construction of new and renovated trial court facilities in California and will replace the *Trial Court Facilities Guidelines*, adopted by the Judicial Council effective July 1, 2002. The implementation will require procedures to review compliance and to consider exceptions to the facilities standards in the development of each trial court design and construction project.

The facilities standards are necessary for the judicial branch because the branchwide responsibility for buildings is increasing as the branch transitions to the role of owner and operator, and because the existing facilities guidelines do not include sufficient technical detail, such as structural performance, mechanical design, and architectural design criteria.

The facility standards will be used as the basis for the design of court facilities with a professional standard of care by the consultants retained for specific design and construc-

tion capital improvement projects; in practice the standards will provide ample flexibility to creatively meet local or special requirements, to propose innovations, and to accommodate new service delivery programs.

## Uniform Standards for Court Security Adopted

In an action to improve safety in state trial courts, the Judicial Council approved the state's first uniform standards for funding court security. The new standards are designed to improve the funding process for court security and create an objective method for apportioning state funds among the state's 58 trial courts. The standards are based on a number of factors, including the number of filings and judgeships in each trial court.

The uniform standards will guide funding for security for entrance screening stations, courtrooms, and holding cells; the internal transportation of defendants; and supervision of deputies.

## Labor Relations Assistance Provided

The AOC's Labor and Employee Relations Unit provided numerous services and assistance to the state's trial courts. The staff served as chief negotiator for 22 courts in the bargaining of 33 memoranda of understanding, served as chief negotiator for one of four regions, and assisted with negotiations in a second region in reaching agreements with the recognized employee organization for court interpreters. A labor relations training academy that covered a broad range of labor relations topics, blending lectures, exercises, group activities, information exchange, and mock negotiations, was conducted in Burbank and repeated in Sacramento. This year's curriculum included strategic planning for negotiations, creative bargaining skills, current trends in labor law, how to cost a contract, how to draft a Public Employment

Relations Board (PERB) response, how the state appropriations limit (SAL) may affect bargaining, health benefits available to the superior courts, and the role of a mediator.

## New System for Human Resources Information Moves Forward

A new statewide project, the Courts Human Resources Information System (CHRIS), has been unveiled to assist local courts in handling their management and administration needs. CHRIS operates on the same SAP software platform that already runs the Court Accounting and Reporting System (CARS) financial system. Experts from 12 superior courts provided input on the design of the statewide system. The Superior Court of Sacramento County was selected as the model court to prove the concept. Rollout of CHRIS is expected to begin in mid-2006.

## 2005 Legislative Highlights

- **NEW JUDGESHIPS/SJO CONVERSIONS:** Senate Bill 56 (Dunn), which proposes the creation of 150 new judgeships and the conversion of certain eligible subordinate judicial officers (SJOs), passed the Assembly Judiciary Committee on July 5. Presiding judges and executive officers of trial courts, bar association leadership, and Bench-Bar Coalition member organizations again sent letters of support to legislators, as they had done when the bill was in the Senate. The bill is being held in the Assembly Appropriations Committee.
- **COURT FACILITIES BOND:** Senate Bill 395 (Escutia), which states the intent of the Legislature to enact the California Court Facilities Bond Act of 2006 to acquire, rehabilitate, construct, and finance court facilities, passed the Senate on June 1. The bill was amended to omit the amount of the proposed bond. If approved by

the Legislature and the Governor, the bond would be placed on the ballot in an upcoming statewide election. The bill is being held in the Assembly Appropriations Committee.

- **UNIFORM CIVIL FEES:** In April 2004, the Court Fees Working Group made unanimous recommendations for a statewide uniform civil fee structure. The Uniform Civil Fees and Standard Fee Schedule Act will streamline and vastly simplify the civil fee structure, provide for uniformity across the state, and address the funding shortfall under the former fee structure. The act was approved as part of the judicial branch budget and was included in budget trailer bill Assembly Bill 145. The act took effect on January 1, 2006, and the enhanced security fee that was set to expire on June 30, 2005, was extended until December 31, 2005.
- **JUDGES' RETIREMENT:** Senate Bill 528 (Ackerman and Dunn), as introduced on February 18, 2005, declares the Legislature's intent to evaluate the impact of trial court unification on the judges' retirement systems and the resulting increase in judges' ages at the start of their judicial service. This bill, cosponsored with the California Judges Association, is a two-year bill, allowing the council to report to the Legislature on the effectiveness of the Judges' Retirement System II based on the 10 years of experience under the new system.

#### GOAL: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

Judicial branch services will be responsive to the needs of the public and will enhance the public's understanding and use of and its confidence in the judiciary.

### Council Approves Plain-Language Jury Instructions

As part of an ongoing effort to reform California's jury system, the Judicial Council approved new criminal jury instructions to replace those first written in the 1930s. The instructions emphasize plain, straightforward language and provide an alternative to the often-confusing legal terminology that traditionally has been used in California trial courts for the past 70 years. New civil instructions were approved in September 2003 and are now used in most civil trials in the state. In 1998, California Chief Justice Ronald M. George appointed a 29-member Task Force on Jury Instructions to write new, plain-English civil and criminal juror instructions. The task force—comprising judges, lawyers, and other experts—spent thousands of hours drafting the new instructions, which California courts may use in criminal trials beginning January 2006.

### ADOPTION AND PERMANENCY MONTH CELEBRATED

In November, the Judicial Council joined with Governor Arnold Schwarzenegger in declaring Adoption and Permanency Month in California. Several recently adopted children who had spent years in the foster care system addressed the council at its November 4 business meeting and told of the difference that adoption had made in their lives.



## Funding Expanded for Equal Access

As part of the Uniform Civil Fees and Standard Fee Schedule Act, additional money will be allocated in 2006 to the Equal Access Fund. The extra financial support follows the recommendation of the Equal Access Project, which found that, although the \$10 million fund has been a "tremendous success" in addressing serious legal needs of low-income residents, only 28 percent of the needs of such Californians are being met. Statewide, it was reported, there are some 10,000 low-income people per legal aid attorney. The Judicial Council approves the distribution of Equal Access Fund monies to qualified legal services projects and support centers to provide civil legal assistance to indigent persons. Findings from the March 2005 *Equal Access Fund: A Report to the California Legislature* documented strong program performance in providing assistance to low-income Californians and others most vulnerable to injustice. Ten percent of the funds are used for "partnership grants" to legal services organizations to provide self-help programs in collaboration with trial courts.

## Task Force on Domestic Violence Appointed

The Chief Justice appointed a 17-member Domestic Violence Practice and Procedure Task Force to develop best practices for handling domestic violence cases. The task force will also consider recommendations from the state Attorney General's Task Force on Local Criminal Justice Response to Domestic Violence, which identified problems with protective orders, misdemeanor criminal domestic violence cases, and compliance with court-ordered batterer intervention programs. The Judicial Council's task force will focus on improving the forms used in domestic violence cases, developing guidelines for handling domestic violence protective orders and criminal cases, ensuring the accurate and timely

## APPELLATE COURT LAUNCHES "OUTREACH PLUS" PROGRAM

Expanding on a trend among appellate courts, the Court of Appeal, Fourth Appellate District, Division Two, in Riverside developed a novel court-community outreach program. In addition to improving public understanding of the courts, the program has the innovative new goal of encouraging students to stay in school. Besides holding oral arguments in a San Bernardino high school, justices and volunteer lawyers from the San Bernardino County Bar Association visited classrooms to stress the importance of staying in school and obtaining a college education. .

entry of protective orders into the statewide communications network known as CLETS (the California Law Enforcement Telecommunications System), increasing community outreach, and expanding judicial branch education on domestic violence issues.

## Report on Self-Help Programs Accepted

Self-help centers in state trial courts are helping thousands of Californians who need legal assistance and cannot afford an attorney, according to a report accepted by the Judicial Council. The most comprehensive report of its kind in the nation, *Model Self-Help Pilot Program: A Report to the Legislature* was submitted by a statewide panel named by Chief Justice Ronald M. George to study ways to assist the growing number of self-represented litigants in the state. The five self-help pilot centers evaluated in the report continue to operate in Butte/Glenn/Tehama Counties and in Fresno, San Francisco, Los Angeles, and Contra Costa Counties. The report found that self-help centers offer a valuable method for providing services to persons who need access to legal

information and for improving the quality of justice for litigants; facilitate litigants' ability to participate effectively in the legal process; improve court efficiency; help courts design systems to serve self-represented litigants more effectively; promote public trust and confidence in the court system; meet a great need for service in their communities; and have the capacity to meet the needs of many non-English-speaking litigants.

## Partnering Helps Implement Mental Health Services Act

AOC and court experts collaborated with the California Department of Mental Health to implement Proposition 63, the 2004 ballot measure that provides funds to counties to expand services and develop innovative programs and integrated services for mentally ill children, adults, and seniors. The two organizations are developing expenditure guidelines that will allow counties to support new or enhanced mental health courts with funding from the Mental Health Services Act. The department also released a document explaining that mental health courts are an allowable cost under the Community Services and Supports component of the act.

## COURTS WORK WITH AUTO CLUB ON TRAFFIC TICKETS

Working with the Superior Courts of Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties, the Automobile Club of Southern California began offering links to the traffic Web sites of those courts, enabling motorists to pay for traffic citations online or by phone or to sign up for traffic school. The sites also offer information on court appearances, appeals, and night court.

## Report Finds Juvenile Dependency Court Improved

Nearly all juvenile dependents have legal representation throughout their trial court cases, but courts are struggling to conform to state and federal guidelines for timeliness. The *California Juvenile Dependency Court Improvement Program Reassessment*—the most comprehensive study of California dependency courts ever undertaken and the first such study since 1997—offers many other findings and recommendations. For example, the report finds that few courts have access to meaningful data on dependency cases and recommends standardizing data collection statewide. The full report was discussed in December at the Beyond the Bench conference, a multidisciplinary gathering of professionals concerned with young people involved in the court system. The AOC's Center for Families, Children & the Courts conducted the study and will work with the courts to implement many of the report's recommendations.

## Supreme Court Arguments Broadcast

To improve public understanding of the judiciary, the state high court held a special outreach session in Shasta County in October. More than 700 high school and college students from Lassen, Siskiyou, Tehama, Trinity, and Shasta Counties attended the arguments and participated in a question-and-answer session with the justices. The arguments also were broadcast on the California Channel, a public affairs cable network that reaches 5.6 million viewers.

In addition, the court granted permission to the California Channel to broadcast live coverage of oral arguments in two cases heard in Los Angeles, one involving the constitutionality of the California Coastal Commission and the other involving the effect of two U.S. Supreme Court rulings on California's Determinate Sentencing Law.

## Appellate Courts Centennial Celebrated

The state Courts of Appeal commemorated their 100th year of service with special events to educate citizens about the role of the intermediate appellate courts. Exhibits were displayed at each of the six appellate courts, a historical booklet was distributed, and numerous artifacts and memorabilia were shown at the California State Fair. A special court session was held in April in Los Angeles, presided over by Chief Justice Ronald M. George and the administrative presiding justices of the six appellate districts, with special remarks from state Attorney General Bill Lockyer and others. A centennial dinner featured remarks from Robert Grey, Jr., president of the American Bar Association, and State Bar President John

K. Van de Kamp. (Transcripts are available at [www.courtinfo.ca.gov/courts/courtsofappeal](http://www.courtinfo.ca.gov/courts/courtsofappeal).)

## Rules to Improve Temporary Judging Adopted

Attorneys serving as temporary judges for the courts play an important role in providing access to justice for the citizens of California. They serve the courts and the public in many different types of cases including small claims, traffic, family, and juvenile cases. The Judicial Council has adopted a comprehensive set of rules governing the selection, training, appointment, supervision, and evaluation of court-appointed temporary judges. The rules establish minimum education requirements for all court-appointed temporary judges on bench conduct and demeanor, ethics, access and fairness, and the elimination of bias, as well on the substantive areas of law on which temporary judges hear cases. When these rules go into effect in 2006, they should ensure and improve the quality of temporary judging throughout the state.

### KERN COUNTY COURT COMBATS TRUANCY

The Superior Court of Kern County joined with local schools in an effort to reduce the county's high truancy rate. The court published a brochure on truancy, its consequences, and the court's role in reducing truancy, including its ability to order sanctions against students and their parents. The brochure is available in English and Spanish and covers the legal definition of truancy, tips for parents on keeping kids in school, how parents are notified about episodes of truancy, and resources and organizations that can help parents.

The court distributed the brochure to the district attorney's office, social workers, schools, probation officers, and the Police Activity League. The brochure was produced at no cost to the court. The Kern County Superintendent of Schools paid for the brochure, since the school districts lose funding for truant students.

### SACRAMENTO INSTALLS SELF-HELP KIOSKS

New kiosks are helping Sacramento County's self-represented litigants use EZLegalFile for paperwork related to family law, domestic violence, and guardianship proceedings.

EZLegalFile is a system for completing forms online, developed by the Superior Court of San Mateo County, that's now available in more than 30 superior courts in California. The kiosks were installed earlier this year in the family law facilitator's office at the William R. Ridgeway Family Relations Courthouse in Sacramento.

## GOAL: EDUCATION

The effectiveness of judges, court personnel, and other judicial branch staff will be enhanced through high-quality continuing education and professional development.

### Model for Minimum Education Approved

In November, the Judicial Council approved a model for minimum education requirements for superior court judges and court personnel. If the model is implemented, California will become one of 44 states with broad educational requirements. Although California is well known for its comprehensive judicial branch education program, the model addresses for the first time broad-based, continuing education requirements for trial court judges and court personnel. It was recommended by the Governing Committee of the Center for Judicial Education and Research. The model includes 30 hours of continuing education in a three-year cycle for judges and top court administrators, with specialized training for certain judicial officers and court personnel. A draft rule of court to implement the model requirements will be circulated for comment and reviewed by council before it is considered for adoption.

### Partnership for Branch Education Established

Based on the Judicial Council's operational plan, the AOC's Education Division/Center for Judicial Education and Research (CJER) established several partnerships as part of developing a systemic approach to judicial branch education. For example, division staff is working with the University of California to offer academic education to judges spanning a wide range of topics, from new developments in science and the law to childhood development. Additional partnerships include those

with other institutions of higher learning, court-related associations, and local courts.

### Distance Education Capabilities Enhanced

The AOC's Education Division/Center for Judicial Education and Research continued to enhance its distance education capabilities in 2005 with the installation of additional downlink sites around the state. Some larger courts were provided with audio-visual equipment to enhance their training rooms and enable larger groups to participate in statewide broadcasts or local training. In addition, new collaboration software was partnered with the new online program registration process. This enabled the AOC to deliver a large amount of program materials to participants online, reducing the amount of paper materials transported to education events and enhancing their accessibility both before and after the training sessions.

### Committees Address Science and the Law

In response to the rapid and constant evolution of science and technology, the impact on society, and the resulting new challenges for the courts, Chief Justice Ronald M. George established two committees to address court-related issues of science and technology. Both committees are staffed by the AOC's Education Division/Center for Judicial Education and Research. The Science and the Law Steering Committee has been charged with evaluating the general needs of the courts regarding science, technology, and the law. The Science and the Law Education Committee has been charged with providing judges with education to help them deal more effectively and efficiently with difficult cases and issues that have emerged with recent scientific advances.

## Initiatives Achieved on Access and Fairness Education

The AOC's Education Division/Center for Judicial Education and Research, working with court experts, achieved several key initiatives in the past year, including a Statewide Conference on Race and Ethnic Bias in the California Courts for 160 court managers, personnel, and judicial officers; development of a curriculum and delivery of faculty training on sexual orientation fairness in the courts; and training for judicial officers, court personnel, and attorneys on the Americans With Disabilities Act (ADA) and requests for access accommodation.

## Benchbook on Gang Cases Published

The AOC's Education Division/Center for Judicial Education and Research, working with court experts, published a new handbook addressing the variety of issues that arise in most gang-related prosecutions, including the application of the California Street Terrorism Enforcement and Prevention (STEP) Act, witness issues, ruling on the admissibility of gang evidence, expert testimony, courtroom security, jury issues, and the peculiarities of sentencing in gang cases. The handbook is one of several that are published and updated to assist judges in the day-to-day handling of a variety of cases.

### GOAL: TECHNOLOGY

Technology will enhance the quality of justice by improving the ability of the judicial branch to collect, process, analyze, and share information and by increasing the public's access to information about the judicial branch.

## Conference Held on Information Technology

More than 115 presiding judges, executive officers, chief information officers, and information technology directors from across the state, as well as members of the Judicial Council's Court Technology Advisory Committee, came together in January for the Judicial Branch Information Technology Conference in San Francisco. Experts from BearingPoint, Cisco Systems, Deloitte, SBC, and Siemens Business Services described how technology is changing the way the courts do business. Court leaders and AOC directors provided attendees with updates on statewide technology initiatives, including court management systems, telecommunications, data integration, and the California Courts Technology Center. Participants also saw a demonstration of the criminal and traffic module of the California Case Management System (CCMS).

## Progress Made on Case Management System

The California Case Management System (CCMS) was moved closer to implementation, with completion of design and testing for the civil, small claims, and probate product. The baseline application for the criminal and traffic product was also tested and accepted by the AOC in 2005. When fully implemented, CCMS will manage all case types for the California trial courts and will operate out of the California Courts Technology Center. The Superior Courts of Fresno and Alameda Counties will deploy CCMS during 2006, becoming the first courts to be at the technology center

for CCMS. The next set of courts to deploy the criminal and traffic product will include the Superior Courts of Butte, San Luis Obispo, Sonoma, Solano, and Orange Counties. The Superior Courts of San Joaquin, Plumas, and Sierra Counties also have begun deployment planning. Judicial officers from the Superior Courts of Alameda, Sacramento, Ventura, Los Angeles, Orange, and San Diego Counties participated in design and testing for the civil, small claims, and probate system.

## Trial Courts Upgrade Telecommunications Networks

As of December 2005, 46 trial courts in California completed basic telecommunications upgrades and established 24/7 security monitoring of their networks. A new statewide wide-area network (WAN) was implemented, and an updated AOC local-area network (LAN) is in progress. The new WAN will enable courts to connect to the California Courts Technology Center more economically. Three large courts in Southern California and one court in Northern California are slated for network upgrades in 2006. In addition to basic upgrades, many courts with new networks have begun work on Internet Protocol-based telephone systems, IP-based videoconferencing, use of peripherals for physical security, and improved access for courtrooms.

The telecommunications project began in 2002 when court staff and the AOC formed the Telecom User Group to upgrade court infrastructure and communication tools. In 2004–2005, the group developed standard security policy for connectivity with the new California Courts Technology Center. This policy standardizes the method by which courts are protected when they are connected to the technology center and protects the community of courts connected to the center.

## Judicial Council Puts the Internet to Work

The Judicial Council turned to the increasing reliance on the Internet for numerous purposes:

- Working with the Judicial Service Advisory Committee, the AOC launched a new "Justices and Judges" section on Serranus, the password-protected Web site for judicial officers and court professionals. Highlights include a "What's New" section to post timely announcements, news, and site updates; a new resource center with more than 70 links to news, information, associations, and judicial resources; main functional content areas to help make finding information easier; and the aggregation of numerous links into one, easy-to-use section.
- The AOC and court experts created another site on the California Courts Web site to enable courts to share innovative practices with court administrators statewide. The site provides information about recent winners of the Ralph N. Kleps Awards, which recognize contributions made by individual courts to the administration of justice. In addition, the AOC published a booklet, *Innovations in the California Courts: Models for Administering Justice*, which provides more detailed information on the Kleps Award winners.
- On Serranus, another new Web site assists local courts in donating, selling, or exchanging surplus goods within the judicial branch. The site allows any judicial branch entity to post a list of available items, including computer equipment, furniture, and lighting fixtures. Interested parties may then directly contact the party who posted the information to arrange for a sale, a donation, or an exchange of goods.



## Year at a Glance

### JANUARY

**5** Governor Arnold Schwarzenegger releases his proposed State Budget for 2005–2006, calling for \$308.8 million in additional funding for the trial courts.

**13** The Court of Appeal, Fourth Appellate District, Division Two launches an innovative outreach program to hold oral arguments before high school students and join with local lawyers to stress the importance of staying in school and going to college.

**13** Continuing the trend toward direct calendaring, the Superior Court of San Francisco County announces a new local rule to assign cases to a single judge for the duration of a case, allowing judges to become more familiar with cases and permitting greater flexibility in tailoring the pretrial process.

**27** More than 115 presiding judges, executive officers, chief information officers, and information technology directors come together for the Judicial Branch Information Technology Conference in San Francisco and hear experts from BearingPoint, Cisco Systems, Deloitte, SBC, and Siemens Business Services describe how technology is changing the way courts do business.

### FEBRUARY

**2** A Judicial Council report to the Legislature, *Evaluation of the Early Mediation Programs*, wins an award for outstanding practical achievement from the CPR Institute for Dispute Resolution, a national group that promotes excellence and innovation in public and private dispute resolution.

**8** The AOC's Office of Governmental Affairs (OGA) and the Education Division/Center for Judicial Education and Research (CJER) hold the first-of-its-kind orientation program for new members of the Legislature at the State Capitol.

**10** Court users ask for improved court facilities, better security, and more judges during the first of two informational hearings held by state Senator Joseph Dunn, head of the Senate subcommittee with jurisdiction over the judicial branch budget.

**17** More than 100 court and bar leaders gather in San Francisco to discuss potential revisions to article VI of the state Constitution.

**23** The Automobile Club of Southern California begins offering links from its Web site to the traffic Web sites of the Superior Courts of Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties for information on paying tickets online and by phone, traffic school, court appearances, appeals, and night court.

**24** Trial court presiding judges and executive officers meet in San Francisco to discuss statewide issues and conduct a question-and-answer session with AOC officials.

### MARCH

**15** In his State of the Judiciary address to the Legislature, Chief Justice Ronald M. George asks for support for a measure that would provide critical funding for the repair and renovation of many of the state's 451 court facilities.

**15** The Bench-Bar Coalition's Day in Sacramento is held in conjunction with the State of the Judiciary address. Forty-five BBC members meet with over 60 legislators and staff of key policy and fiscal committees on judicial branch legislative priorities.

**28** After more than six years of negotiations, planning, design, and construction, the Superior Court of Ventura County opens its new juvenile courthouse in Oxnard.

**30** Administrative Presiding Justice Judith D. McConnell, of the Fourth Appellate District in San Diego, is appointed by the California Supreme Court as a new member of the Commission on Judicial Performance, succeeding Justice Vance W. Raye of the Third Appellate District in Sacramento, who has completed his term on the commission.



## Year at a Glance

### APRIL

**8** The Superior Court of Los Angeles County implements a new juror summons countywide, replacing a multisectional summons with a simplified single sheet printed on both sides. The new format is based on the Judicial Council's statewide model summons, which focus groups found appealing and easy to read.

**11** The 100th anniversary of the state Courts of Appeal is celebrated with a special dinner in Los Angeles and a special court session the next day with Chief Justice Ronald M. George and all six administrative presiding justices.

**14** The Judicial Council hosts a public hearing on court security and access to the courts.

**15** Seventeen California courts are named as winners of the Ralph N. Kleps Award for Improvement in the Administration of the Courts. The winners include the Superior Court of Alameda County for its elder abuse protection court; the Superior Courts of Butte, Glenn, and Tehama Counties for their self-help and regional assistance program; the Superior Court of Calaveras County for its legal assistance center; the Superior Court of Los Angeles County for its new judge orientation program; the Superior Courts of Monterey, Santa Cruz, San Benito, and Santa Clara Counties for their regional education consortium; the Superior Court of Orange County for its complex civil electronic filing pilot project; the Superior Court of San

Francisco for its program assisting court customers with education and self-help services; the Superior Court of Santa Barbara County for its Web site for high-profile cases; the Superior Court of San Bernardino County for its automated file management system; the Superior Court of Siskiyou County for its joint court with Modoc County; and the Superior Court of Yolo County for its GED program.

**15** In an action designed to improve safety in state trial courts, the Judicial Council approves the state's first uniform standards for funding court security.

**25** Judge Roger K. Warren, a 20-year veteran of the California trial courts and immediate past-president of the National Center for State Courts, is appointed as the new scholar-in-residence of the Administrative Office of Courts as part of a five-year-old program that allows recognized experts in the justice system to work with the AOC to improve the administration of the courts.

### MAY

**9** Chief Justice Ronald M. George marks the start of Juror Appreciation Week, a time set aside by the California Legislature to honor the important role of jurors in the democratic system of government, by swearing in a civil jury in the Superior Court of San Francisco County.

**13** Governor's Office revises the 2005–2006 State Budget proposal and raises the state appropriations limit from the 4.8 percent proposed in January to 6 percent. The state Department of Finance later raises the SAL to 6.64 percent, meaning \$134.8 million for the trial courts instead of the \$97.4 million proposed in January.

**18** California Supreme Court approves a request by the California Channel, a public affairs cable network, to provide a live broadcast of three widely watched cases that were argued the next week on the parental rights of same-sex partners.

**25** The Superior Court of Alameda County hosts a live program on KQED public radio on the process of "aging out," when foster children reach the age of 18 and are immediately on their own to make their way without a family.

**27** Chief Justice Ronald M. George takes part in a dialogue with 40 jurors at the Superior Court of Los Angeles County as part of Law Day USA and Juror Appreciation Week and is honored later in the day by the Edmund D. Edelman Children's Court for his work on behalf of abused and neglected children.

## Year at a Glance

### JUNE

**15** Chief Justice Ronald M. George announces the appointment of 10 new members to the Judicial Council: Justice Eileen C. Moore, Fourth Appellate District; Judge Charles W. McCoy, Jr., Superior Court of Los Angeles County; Presiding Judge Barbara J. Miller, Superior Court of Alameda County; Presiding Judge Dennis E. Murray, Superior Court of Tehama County; Commissioner Ronald E. Albers, Superior Court of San Francisco County; Ms. Deena C. Fawcett, Clerk/Administrator, Third Appellate District; Ms. Sharol H. Strickland, Executive Officer, Superior Court of Butte County; Mr. Anthony P. Capozzi, past-president of the State Bar of California; Thomas V. Girardi, partner with the Los Angeles law firm Girardi & Keese; and Barbara J. Parker, chief assistant city attorney for the City of Oakland.

**15** Groundbreaking ceremonies are held in Merced for a new courthouse to replace the modular trailers that have housed the court for almost 30 years. The new seven-courtroom facility is slated to open in October 2006.

**24** The Judicial Council approves a proposed budget allocation of \$1.152 million in 14 trial courts for court-appointed counsel for minors in custody and visitation proceedings during the current fiscal year. Other allocations are made for costs of workers' compensation for court employees and increased retirement costs for subordinate judicial officers.

### JULY

**7** The California Case Management System's criminal and traffic product is installed in the California Courts Technology Center.

**19** Governor Arnold Schwarzenegger approves a Judicial Council-sponsored bill creating uniform civil fees across the state, starting January 1, 2006. For most fees, the same amounts will be charged for the same services across all 58 counties.

**20** Drug courts have saved the state more than \$42 million in incarceration costs, the California Department of Alcohol and Drug Programs says in a report to legislators. The report comes as lawmakers consider changing Proposition 36, approved by voters five years ago, so that, in practice, it would mimic drug courts by letting judges send offenders to jail for brief periods for violating provisions of their treatment.

**27** The Judicial Council for the first time approves funding for the trial courts received through the state appropriations limit (SAL) budget funding process and approves the use of the Resource Allocation Study model to identify courts that are the most severely underfunded to ensure that funding is distributed to the courts in a uniform and equitable manner and to provide for increases and adjustments for funding in reimbursable areas.

### AUGUST

**1** Nearly 1,000 backpacks or tote bags filled with school supplies for foster children are delivered to the Edmund D. Edelman Children's Court in Monterey Park through the combined efforts of the Children's Law Center of Los Angeles, the Superior Court of Los Angeles County, and barristers' organizations of the Los Angeles County Bar Association.

**2** More than 50 students from four universities graduate from the first-ever JusticeCorps, an effort by the Superior Court of Los Angeles County to provide volunteers to assist self-represented litigants in family, small claims, and unlawful detainer cases.

**26** In a statewide campaign to reform California's jury system, the Judicial Council officially adopts new criminal jury instructions, which emphasize plain, straightforward language and provide an alternative to often-confusing legal terminology.

## Year at a Glance

### SEPTEMBER

**7** A newly completed state survey shows that public trust and confidence in the California courts is substantially higher now than in previous years, with 67 percent of the public now having a positive attitude about the courts, compared to less than 50 percent in 1992. The survey also shows that the key predictor of public trust and confidence is that court procedures be fair.

**13** Judge Terry B. Friedman, Superior Court of Los Angeles County and president of the California Judges Association, is named by Chief Justice Ronald M. George to the Judicial Council.

**10** Hundreds of lawyers and judges gather in San Diego for the first Statewide Judicial Branch Conference as the State Bar and California Judges Association stage their annual meetings in conjunction with the Judicial Council and the Administrative Office of the Courts.

**13** A new statewide task force is named by Chief Justice Ronald M. George to study ways to improve practices and procedures in domestic violence cases. The task force, headed by retired appellate Justice Laurence Donald Kay, reviews a report by Attorney General Bill Lockyer on the justice system's handling of domestic violence cases and begins considering ways for local courts to enhance the administration of justice in such cases.

**27** Over 100 members and chairs are appointed to the Judicial Council's 17 advisory committees by Chief Justice Ronald M. George, including first appointments to a new Advisory Committee on Criminal Jury Instructions, formerly a task force.

### OCTOBER

**6** Justices, judges, and scientific experts convene for the 2005 Science and the Law Conference at the Salk Institute for Biological Studies in La Jolla. The conference offers workshops on basic genetics, gene therapy, nicotine and other addictions, forensic DNA, and other issues related to science in the courtroom.

**19** A California Supreme Court advisory committee invites public comments on draft proposals that would clarify the criteria that justices of the state's Courts of Appeal should consider in deciding whether to certify their opinions for publication. The comments are to be reviewed by the 13-member committee led by Supreme Court Justice Kathryn Mickle Werdegard for action in 2006.

**25** The California Courts and Families Hurricane Recovery Fund is set up to assist courts and their employees affected by Hurricanes Katrina and Rita. Donations to the fund are to be used to assist court personnel and their families in obtaining food, clothing, shelter, and medical care,

as well as to help restore court systems in devastated areas. In addition, the National Center for State Courts establishes an online registry to allow courts throughout the country to volunteer equipment, personnel, and other resources to affected courts.

### NOVEMBER

**4** The Judicial Council adopts a resolution recognizing November as California Court Adoption and Permanency Month, as part of an ongoing effort to find permanent homes for children in the state's foster care system.

**4** The Judicial Council approves a model for minimum education requirements for superior court judges and court personnel. If the model is implemented by court rule, California will become 1 of 44 states with broad educational requirements.

**16** The Judicial Council cosponsors a hearing with Assembly Member Dave Jones on access to justice issues.

**21** The Superior Court of Sonoma County dedicates its new, \$60 million juvenile facility, replacing a 59-year-old juvenile hall. The new facility has two courtrooms, better security, and more storage for court files, evidence, and supplies. The new juvenile hall has about four times the area previously available for recreation and more room for education and counseling programs.

## Year at a Glance

### DECEMBER

**4** A proposal to amend the judicial section of the state Constitution is approved by the Judicial Council. The amendments to article VI would promote access to justice, ensure the independence of the judicial branch, and enhance accountability within the branch for the fair and effective administration of justice.

**4** A comprehensive set of rules to improve the quality and training of attorneys who serve as temporary judges in state trial courts is adopted by the Judicial Council. The rules will govern the selection, training, appointment, supervision, and evaluation of temporary judges and are designed to ensure the quality of temporary judging by establishing minimum education and experience requirements.

**8** Information technology leaders and staff from the trial courts, the Supreme Court, the six appellate court districts, and the AOC participate in the 2005 Judicial Branch Information Technology Conference on December 8, 2005, at the AOC.

**14-16** The 16th annual Beyond the Bench conference is held in San Diego, covering issues of importance to the juvenile courts, including child abuse and neglect, community justice, Court Appointed Special Advocates, family violence, and permanency planning.

**15** A study of California's juvenile dependency courts finds that despite huge caseloads and challenging federal timeliness guidelines, the dependency courts have made substantial progress in providing legal representation to children throughout their cases. In addition, the study finds that judges, commissioners, and referees are now highly experienced in dependency court proceedings and receive a great deal of continuing education.

**26** The Superior Court of San Mateo County announces that it will dedicate a court to high-technology cases and other complex civil litigation. The specialized court is the county's response to the growing number of complex civil cases involving science and technology that began during the economic boom in 1999.



## TRENDS IN COURT WORKLOAD

After three consecutive years of growth that began in fiscal year 2001–2002, total filings in the superior courts remained unchanged in fiscal year 2004–2005. Compared with the over 8.9 million filings processed in the trial courts in the previous fiscal year, in fiscal year 2004–2005 total filings fell by slightly more than 14,000, a decline of just over one-tenth of 1 percent. In the Courts of Appeal, the total number of contested matters declined by 4 percent to 21,091. A slight increase in original proceedings filed in the Courts of Appeal was erased by a larger decrease in the number of records of appeal filed. Total filings in the Supreme Court increased by almost 5 percent over the previous year, growing to 8,990 in fiscal year 2004–2005.

Total dispositions in the trial courts increased by almost 3 percent in fiscal year 2004–2005,

the second consecutive year of growth in total dispositions. Total dispositions in the Courts of Appeal, including dispositions of all appeals and original proceedings, declined by 2.3 percent, decreasing to 24,358. In the Supreme Court, dispositions were essentially unchanged, declining by 30 matters over the previous fiscal year, a decline of less than 1 percent.



## Looking Behind the Numbers

Aggregate filings and dispositions data provide a useful overview of the workload of the courts. But these measures must be supplemented with a more detailed review of specific case types and court operations to fully understand how caseload—the number of filings—translates into workload—the amount of work and resources necessary to process the cases. For example, much of the caseload growth in the trial courts in recent years has been driven by an increase in the number of infractions processed by the courts. Infractions are simple cases for courts to process, requiring relatively small amounts of staff and judge time per case. Less noticeable in the caseload statistics, however, is a growth in the number of misdemeanors and felonies. Because these cases require much more staff and judge time to process, a relatively small increase in these numbers can trigger a much larger growth in the workload than the raw numbers suggest.

It is also necessary to look at differences in workload across courts and to distinguish between workload issues that may affect one court and not another. Statewide totals can mask differences among courts because trends in the largest courts in the system tend to drive the statewide numbers. A large increase or decrease in the number of filings in the Superior Court of Los Angeles County, for example, will necessarily affect the statewide view even if the trend in other counties is different.

Because the state court system is both centralized and decentralized in its organizational structure, all trial courts seek to work within a common legal framework while, simultaneously, adapting to local circumstances to meet the needs of the public and serve justice.

## Promoting Efficiency and Effectiveness in Case Processing

In recent years the Judicial Council has been working to ensure that resources are allocated fairly among the trial courts. Equitable resource allocation requires the accurate measurement of

workload in the courts and close collaboration among the courts and the Judicial Council and Administrative Office of the Courts (AOC) to balance competing priorities.

Constructing accurate measures of workload also requires going beyond an evaluation of how courts currently do business and considering how to improve those operations. To ensure the accountability of the judicial branch to the public, measures of both efficiency and effectiveness must be taken into account. Efficient case processing refers to making the most of existing resources; effective case pro-

### APPELLATE COURT MEDIATION PROGRAM PASSES 1,000 CASE MARK

The First Appellate District of the Court of Appeal reported that as of December 31, 2004, its appellate mediation program had submitted more than 1,000 appeals to mediation since its inception in 2000. This number represents 22 percent of the civil cases considered for mediation by the First Appellate District, based in San Francisco. Fifty-six percent of mediated cases have resulted in settlements. Mediations are conducted by individuals drawn from a panel of more than 200 skilled mediators who have been trained by the court in appellate mediation. The panel includes appellate specialists, litigators, full-time mediators, retired justices, and retired judges. Almost all mediations are conducted before counsel file briefs, in order to minimize the costs of the appeal. Since the inception of the program, parties have realized a net savings of over \$19.5 million, as estimated by their counsel. The time from the filing of the notice of appeal to mediated settlement was less than half of the time to disposition by opinion. The program has saved court resources, enabling the justices and their staff to devote more time to other appeals.



cessing refers to providing the highest quality of justice, and thereby safeguarding the basic rights of all of California's citizens.

The two concepts are linked because courts that take measures to streamline their operations can free up the resources needed to improve the quality of services to the public. Increasingly the AOC and court leaders are working together to improve the efficiency and effectiveness of case processing.

#### COURTS IMPROVE CRIMINAL CASEFLOW MANAGEMENT

In a survey of the trial courts, criminal caseflow management was identified as one area in which courts would like technical assistance. In response, the AOC and court experts participated in three two-day criminal caseflow workshops in February and March 2005, one each for large, medium, and smaller courts. Forty of the 58 trial courts sent teams to these workshops that, together, drew a total of 180 attendees. Each court attending the workshops developed an initial action plan for improving criminal caseflow management.

Workshop materials included an 80-page manual reviewing the basic principles of effi-

cient criminal caseflow management. A review of these principles emphasized that courts must control the pace of litigation and establish credible expectations that events will occur when scheduled—that arraignment, hearing, and trial dates are firm. Courts need to create opportunities and incentives for early resolution of cases and establish the maximum predictability of court procedures and outcomes; identify and take advantage of opportunities for improving efficiency; and establish clear goals for case processing while monitoring compliance with these goals through analysis of accurate and timely caseload and caseflow data. The workshop manual also includes examples of effective practices now in place around the state, along with contact information to facilitate further sharing of information.

This effort is ongoing and will provide technical assistance to help the trial courts further develop their action plans and offer three one-day follow-up workshops in fiscal year 2005–2006. Building on this work, the AOC has already begin to conduct caseflow management workshops for family law cases based on the model developed for criminal caseflow management.

CASA volunteers assist about 170 abused, exploited, abandoned, and neglected children in El Dorado County each year. The nonprofit program is funded by grants, donations, and fundraising, including annual sales of holiday wreaths and cards. There are 39 CASA offices statewide, serving about 8,000 children.





## IMPROVING SERVICES TO SELF-REPRESENTED LITIGANTS

In March 2005, the AOC submitted a report to the California Legislature on the Model Self-Help Center Pilot Program. Implemented in 2002, the Model Self-Help Pilot Program was designed to develop solutions to four major challenges that courts faced in meeting the needs of self-represented litigants. Those challenges for the self-represented were (1) the need for more legal information, (2) language barriers for people with limited English proficiency, (3)

geographic and transportation barriers, and (4) resource limitations.

The 2005 report to the Legislature documented successful strategies for addressing these challenges in five pilot programs funded by the AOC. Although no single model program could address all the challenges that self-represented litigants face, the report identified a number of strategies that proved highly effective in providing services and that could be adopted by other courts. Courts that implemented these strategies included the following:

### TRIAL COURT FILINGS BY CASE TYPE

*Fiscal Year 2004-2005*

	NUMBER OF FILINGS	PERCENTAGE OF TOTAL FILINGS*
Motor Vehicle .....	28,627	0.32
Other Personal Injury/Property Damage/Wrongful Death .....	21,751	0.24
Other Civil Complaints .....	116,207	1.30
Appeals .....	4,649	0.05
Habeas Corpus .....	11,234	0.13
<b>Unlimited Civil .....</b>	<b>182,468</b>	<b>2.04</b>
Limited Civil .....	477,675	5.32
Small Claims .....	255,630	2.85
<b>Limited Civil .....</b>	<b>733,305</b>	<b>8.17</b>
Family Law .....	155,600	1.73
Juvenile Delinquency .....	93,275	1.04
Juvenile Dependency .....	41,451	0.46
Mental Health .....	13,131	0.15
Probate .....	50,002	0.56
Civil Petitions .....	317,605	3.54
<b>Family and Juvenile .....</b>	<b>671,064</b>	<b>7.48</b>
Felonies .....	283,080	3.16
Nontraffic Misdemeanors .....	541,722	6.04
Traffic Misdemeanors .....	750,296	8.36
<b>Felonies and Misdemeanors .....</b>	<b>1,575,098</b>	<b>17.56</b>
Nontraffic Infractions .....	290,609	3.24
Traffic Infractions .....	5,519,512	61.52
<b>Infractions .....</b>	<b>5,810,121</b>	<b>64.76</b>
<b>Statewide Total .....</b>	<b>8,972,056</b>	<b>100.01</b>

\* The sum of all percentages may not equal 100% due to rounding.

- A collaborative project of the Superior Courts of Butte, Glenn, and Tehama Counties provided legal information and education to self-represented litigants in rural areas through videoconferencing workshops.
- The Superior Court of Contra Costa County overcame barriers of geography and transportation by broadcasting workshops held by a volunteer attorney to outlying court locations.
- In the Superior Court of Fresno County, the model self-help program provided services to the Spanish-speaking population in the Central Valley, assisting with interpretation and translation in family law, probate, unlawful detainer, general civil, and immigration cases.
- The Superior Court of San Francisco County also created a program to enhance court access for non-native speakers of English. In addition to assisting Spanish-speaking self-represented litigants, this pilot program sought to meet the many other language needs found in San Francisco.
- Staff in the Superior Court of Los Angeles County worked on a program to coordinate various independent self-help programs that were already operated by the court and outside legal service providers.

The report documented once again the interdependence of efficiency and effectiveness in case processing. It found that self-help centers provide essential services to citizens while simultaneously improving the quality of justice for litigants. Judicial officers reported that courts have more information on which to base decisions when self-represented litigants have been given the assistance to help them present their cases. Proper preparation and filing of documents, in turn, reduced the need for filing supplemental declarations.

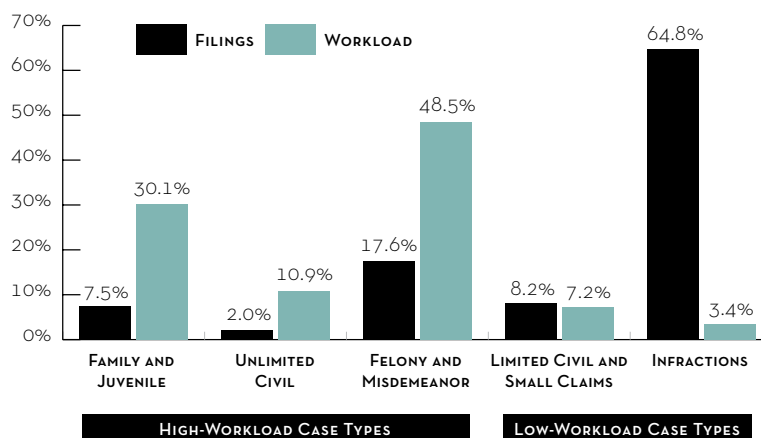
Building on the findings of the model self-help programs, the 2005 report to the Legislature also identified future directions for self-help programs. It highlighted the importance of locating self-help centers at courthouses, the need for ongoing assistance to self-represented litigants throughout the life of a case, the value of having attorneys manage self-help programs, and the fact that interpretation of language is only the first step in addressing the needs of recent immigrants. Bilingual staff working in self-help centers must go beyond simply translating words; explanation of the underlying political, social, legal, and cultural concepts is also necessary.

### TRANSLATING TRIAL COURT FILINGS INTO JUDICIAL OFFICER WORKLOAD

*Fiscal Year 2004-2005*

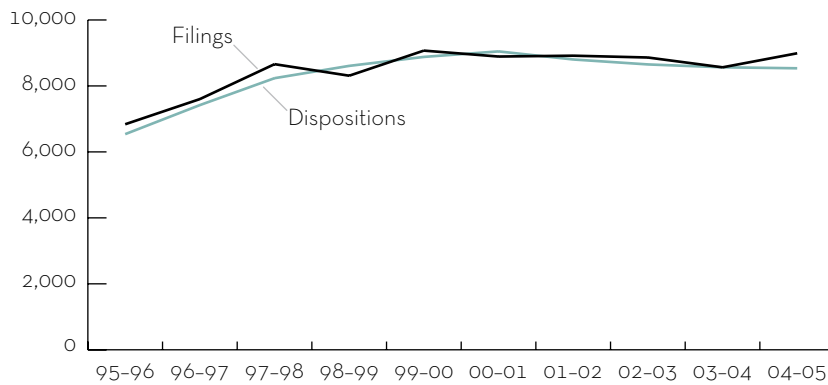
*Filings and workload of each case type presented as a percentage of total*

For an accurate understanding of judicial workload, filings must be considered together with an analysis of case types. For example, although family and juvenile cases represent 7.5 percent of total filings, they account for nearly one-third of the trial courts' judicial workload based on workload standards adopted by the Judicial Council. Conversely, infraction filings make up almost two-thirds of total trial court filings, but represent only 3.4 percent of overall judicial workload.



### TOTAL SUPREME COURT FILINGS AND DISPOSITIONS

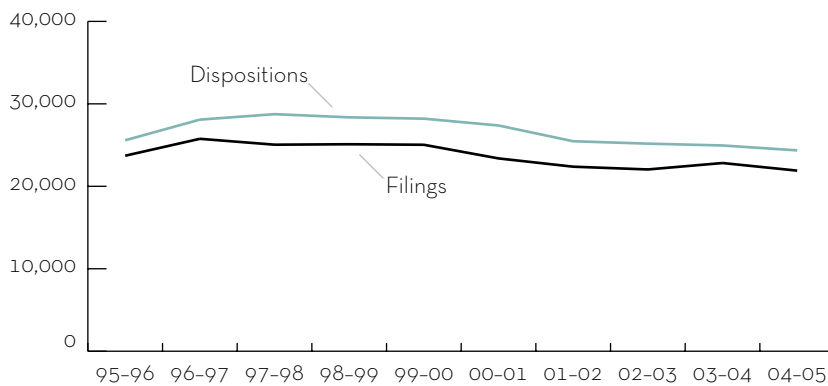
1995-1996 to 2004-2005



In fiscal year 2004-2005, Supreme Court filings increased from 8,564 in the previous year to 8,990, while dispositions declined slightly from 8,565 to 8,535. The court filed opinions in a total of 125 cases compared with 108 the previous year. Petitions for review from original criminal proceedings increased to 3,183 from 2,980 in the previous year. Original habeas petitions also increased from 2,748 to 2,851 over this same period.

### TOTAL COURTS OF APPEAL FILINGS AND DISPOSITIONS

1995-1996 to 2004-2005

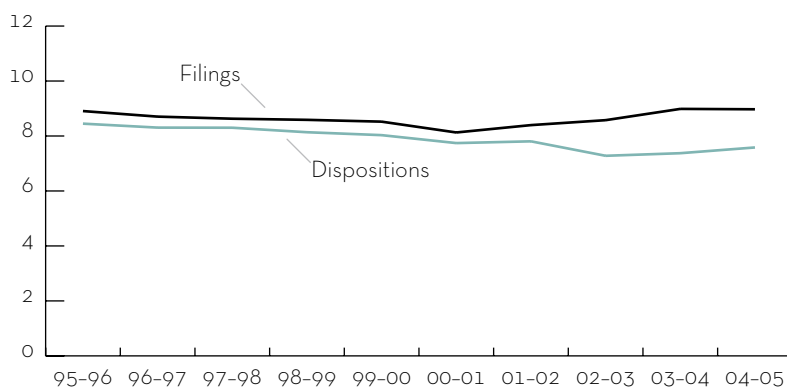


Courts of Appeal filings declined to 21,901 in fiscal year 2004-2005 from 22,824 in the previous year, a decline of about 4 percent. Dispositions also declined from 24,952 to 24,358. Dispositions by written opinion totaled 11,747, down from 11,992 the previous year.

### TOTAL TRIAL COURT FILINGS AND DISPOSITIONS

1995-1996 to 2004-2005

In millions



Trial courts had a total of 8.9 million filings statewide in fiscal year 2004-2005, barely any change from the previous year. Trial court dispositions during the same period, however, increased from approximately 7.4 million to approximately 7.6 million, an increase of about 3 percent.



## JUDICIAL BRANCH RESOURCES

Beginning with fiscal year 2005–2006, the judicial branch experienced a significant change in the way trial courts are funded. Current law now authorizes the annual adjustment of the trial court funding budget by a factor equal to the year-to-year percentage change in the state appropriations limit (SAL). The SAL was established in the state Constitution by voter approval in 1979 as a means to limit the amount of monies that can be spent from tax proceeds. It is calculated based on a formula that incorporates a variety of factors, including changes in the cost of living, population factors, and daily public school attendance. For the judicial branch, this new funding methodology brings a wel-

come measure of stability and predictability to trial court funding.

### Past Practice

Previously, the means for obtaining increases in trial court funding involved a lengthy budget-building process that began with courts identifying cost increases already experienced in order to secure funding for a budget that would not be in effect for at least 12 to 18 months. The process would end after months of negotiations with the executive and legislative branches and, usually, with a budget that did not fully address the needs of the courts. In most years, the late enactment of the State

Budget prevented the courts from knowing what their final approved budget allotments were until weeks or months after the new fiscal year had begun. But late budget enactments were not the only problem with this process. Unfunded costs often resulted because the courts had inadequate data to make accurate forecasts; in other instances unallocated reductions in court funding occurred when the executive and legislative branches searched for ways to close the revenue and expenditure gap. These factors made efficient long-range resource allocation and planning more difficult for the courts.

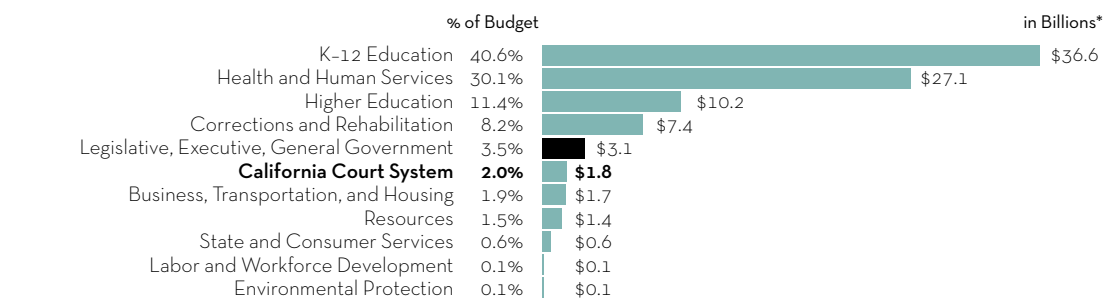
The new funding process changed the fiscal year 2005–2006 budget process significantly. In the past, trial court funding levels were developed through submission, review, and approval of various individual requests that identified funding needs related to specific costs or new program proposals. The trial court budget is now primarily adjusted by the annual SAL factor, with new funding for all trial courts received in a lump sum. The Judicial Council and the courts, rather than the executive and legislative branches, now are

able to determine funding allocations based on judicial branch priorities. This process gives the courts more discretion and control over their budgets. In addition, because the SAL is calculated before the new fiscal year begins, the estimated amount of funding available is known well before the start of the fiscal year, allowing courts to more effectively begin resource allocation planning before the fiscal year begins.

## New Budget Process

The new budget process was authorized as part of a trailer bill attached to the 2005 Budget Act approved by the Legislature and later signed by the Governor. The California Department of Finance estimated the SAL allocation in the fall of 2004, and by the end of fiscal year 2004–2005, the Judicial Council had developed and approved the methodology for allocating this funding. The methodology allocated funding on a statewide basis to address certain costs, such as security, and reimbursement and local assistance programs. The process allowed courts to use

### HOW DOES SPENDING FOR CALIFORNIA'S COURT SYSTEM COMPARE WITH OTHER BUDGET CATEGORIES?



\*General Fund expenditures

Source: Department of Finance, *State Budget Highlights 2005–2006* (July 2005).

the most current information when estimating their costs, and the methodology allowed all estimated retirement cost increases to be funded, even though their rate of increase was significantly higher than the SAL rate adjustment. Most importantly, the methodology also provided the opportunity to address various Judicial Council funding priorities as well as the allocation of funds to individual courts that, compared to all courts statewide, had been underfunded since the inception of state trial court funding in the late 1990s. The SAL factor also included a component of funding provided to the courts based on the growth in state population and average daily attendance at public schools (K–14\*). The funding provided through the application of the SAL and the council's allocation methodology also gave the Judicial Council an important opportunity to allocate some resources in a way that offered some relief to historically underfunded courts and courts with growing workloads.

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\*Includes kindergarten through the 12th grade of high school, plus two years of community college.

## HOW IS THE JUDICIAL BRANCH FUNDED IN FISCAL YEAR 2005–2006?

*In millions of dollars, from all sources*

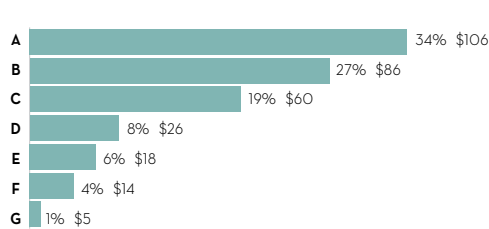
Statewide Judicial Programs:	
Supreme Court	41
Courts of Appeal	178
Judicial Council / AOC	111
Judicial Branch Facility Program	33
Habeas Corpus Resource Center	11
<b>Total—Statewide Judicial Programs</b>	<b>374</b>
Trial Courts:	
General Fund	1,448
Trial Court Trust Fund	1,204
Trial Court Improvement Fund	185
Modernization Fund	34
Motor Vehicle Account	2
Federal Trust Fund	2
Reimbursements	49
<b>Total—Trial Courts</b>	<b>2,924</b>
<b>Judicial Branch Total</b>	<b>3,298</b>
<b>Total State Budget</b>	<b>117,500</b>

*Note:*

Figures represent budgets, not actual expenditures.

## WHAT DID THE GENERAL FUND CONTRIBUTE TO THE APPELLATE AND JUDICIAL ADMINISTRATION BUDGET IN FISCAL YEAR 2004-2005?\*

*This includes the Supreme Court, the Courts of Appeal, the Judicial Council/AOC, and the Habeas Corpus Resource Center. Dollars in millions.\**



(A): Nonjudicial Salaries, Benefits, and Operating Expenses and Equipment (Nondiscretionary) (includes death penalty cases, criminal cases, juvenile cases, Assigned Judges Program, rule making, mandated programs and reports, and Habeas Corpus Resource Center)

(B): Nonjudicial Salaries, Benefits, and Operating Expenses and Equipment (Discretionary)

(C): Court-Appointed Counsel and Program Support (Nondiscretionary)

(D): Facilities—Rent (Nondiscretionary)

(E): Judicial Salaries and Benefits (Nondiscretionary)

(F): Local Assistance (Discretionary)

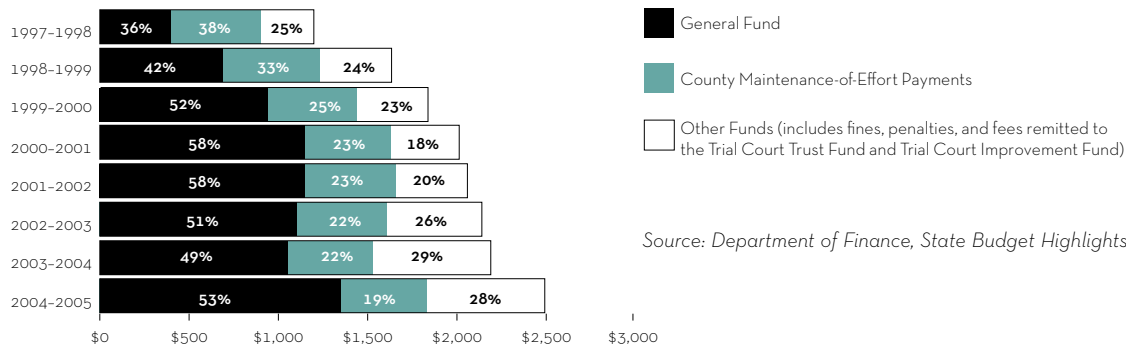
(G): Security (Nondiscretionary)

\* The sum of all percentages do not equal 100% due to rounding.

† Dollar amounts rounded to the nearest million.

## HOW HAVE TRIAL COURT EXPENDITURES BEEN FUNDED?\*

*Fiscal years 1997-1998 through 2004-2005  
Dollars in millions*

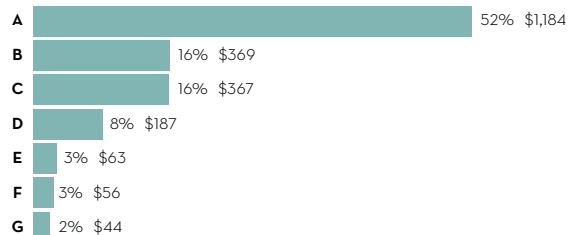


Source: Department of Finance, State Budget Highlights 2005-2006 (July 2005).

\* The sum of all percentages may not equal 100% due to rounding.

## HOW WAS THE TRIAL COURTS' BUDGET SPENT IN FISCAL YEAR 2004-2005?

*Includes Trial Court Trust Fund (TCTF) and non-TCTF expenditures. Dollars in millions†*



(A): Salaries and Benefits

(B): Security (contract and staff—includes estimated salary and benefit expenditures for court attendants and marshals)

(C): Other (includes miscellaneous expenses such as rent, janitorial services, phone and telecommunications, printing and postage, equipment, travel and training, legal subscriptions and memberships, and fees for consultative and professional services)

(D): Court Reporting (contract and staff—includes estimated salary and benefit expenditures for court reporter employees)

(E): Court Interpreters (contract and staff—includes estimated salary and benefit expenditures for staff interpreters, coordinators, and program staff)

(F): Electronic Data Processing

(G): County Charges

† Dollar amounts rounded to the nearest million.



# STAFFING\* AND EXPENDITURES\*\* BY TRIAL COURT SYSTEM

This table reflects the allocation of resources and utilization of funding for fiscal year 2004-2005.

\*FY 2004-2005 Total Authorized FTEs (as of July 1, 2005); data includes permanent and temporary nonjudicial employees, both Trial Court Trust Fund (TCTF) and non-TCTF court employees. The subordinate judicial officer (SJO) category includes commissioners, referees, and hearing officers as reported by the trial courts.

\*\*Combined Trial Court Trust Fund (TCTF) and non-TCTF expenditures. Data from FY 2004-2005 Quarterly Financial Statements (fourth quarter); includes Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund expenditures.

COURT	POPULATION	JUDGESHIPS	SJOs	AUTHORIZED FTEs (w/out SJOs)	FILINGS	EXPENDITURES
Alameda	1,507,500	69	16	859	403,654	105,191,419
Alpine	1,262	2	0	5	1,317	549,763
Amador	37,574	2	0	36	10,087	3,066,347
Butte	214,119	10	2	127	39,335	11,468,882
Calaveras	44,796	2	0	29	9,369	2,624,961
Colusa	20,880	2	0	15	12,603	1,426,520
Contra Costa	1,020,898	33	12	380	207,632	56,371,748
Del Norte	28,895	2	0	32	12,188	2,450,950
El Dorado	173,407	6	4	84	32,423	9,138,320
Fresno	883,537	36	9	491	251,073	45,720,909
Glenn	28,197	2	0	21	12,565	2,026,941
Humboldt	131,334	7	1	89	(i) 24,809	7,546,938
Imperial	161,800	9	2	103	(i) 65,210	8,642,524
Inyo	18,592	2	0	20	14,279	2,285,173
Kern	753,070	33	8	418	220,457	48,330,206
Kings	144,732	7	1	81	33,692	7,407,057
Lake	63,250	4	1	39	14,513	3,407,266
Lassen	35,455	2	0	24	12,947	2,243,250
Los Angeles	10,226,506	429	180	5,304	2,704,457	680,367,333
Madera	141,007	7	1	86	33,842	5,972,540
Marin	252,485	10	4	160	67,103	16,948,476
Mariposa	17,991	2	0	11	(i) 311	1,045,779

COURT	POPULATION	JUDGESHIPS	SJOs	AUTHORIZED FTEs (w/out SJOs)	FILINGS	EXPENDITURES
Mendocino	89,974	8	1	75	25,641	6,991,098
Merced	240,162	6	4	107	70,476	10,580,460
Modoc	9,700	2	0	9	N/A	767,420
Mono	13,563	2	0	15	6,423	1,116,304
Monterey	425,102	18	2	204	79,549	16,844,065
Napa	133,294	6	2	88	27,040	10,453,199
Nevada	98,955	6	2	67	25,739	6,263,644
Orange	3,056,865	109	37	1,616	672,328	176,526,599
Placer	305,675	9	5	132	84,955	13,624,184
Plumas	21,231	2	0	17	7,189	2,025,905
Riverside	1,877,000	49	20	897	407,246	99,293,615
Sacramento	1,369,855	52	16	788	368,110	86,349,129
San Benito	57,602	2	1	28	(i) 12,610	2,348,592
San Bernardino	1,946,202	63	17	890	462,043	86,089,785
San Diego	3,051,280	128	27	1,625	644,993	199,717,204
San Francisco	799,263	50	16	543	177,914	91,661,432
San Joaquin	653,333	26	4	286	175,961	28,282,458
San Luis Obispo	260,727	11	4	149	61,525	15,915,480
San Mateo	723,453	26	7	370	164,167	46,163,312
Santa Barbara	419,260	19	5	276	108,688	26,530,187
Santa Clara	1,759,585	79	10	837	350,559	112,655,149
Santa Cruz	260,240	10	4	148	(i) 62,177	15,589,428
Shasta	178,197	9	2	163	51,138	12,756,572
Sierra	3,538	2	0	6	N/A	861,168
Siskiyou	45,819	4	1	54	28,662	4,921,463
Solano	421,657	16	6	231	119,831	25,548,628
Sonoma	478,440	16	5	206	107,731	27,171,675
Stanislaus	504,482	17	4	212	98,801	19,282,306
Sutter	88,945	5	0	54	20,865	4,704,455
Tehama	60,019	4	0	45	22,294	3,691,577

COURT	POPULATION	JUDGESHIPS	SJOs	AUTHORIZED FTEs (w/out SJOs)	FILINGS	EXPENDITURES
Trinity	13,749	2	0	14	4,213	1,271,034
Tulare	409,871	16	5	232	89,311	19,747,386
Tuolumne	58,504	4	1	43	13,260	3,925,277
Ventura	813,052	28	4	372	182,583	49,918,141
Yolo	187,743	9	4	98	37,437	11,010,541
Yuba	66,734	5	0	50	16,731	4,655,625
<b>Statewide</b>	<b>36,810,358</b>	<b>1,498</b>	<b>455</b>	<b>19,359</b>	<b>8,972,056</b>	<b>\$2,269,487,797</b>

*Data Sources:* Population data from State of California, Department of Finance, *E-1 City-County Population Estimates, With Annual Percent Change, January 1, 2005* (Sacramento, CA: May 2005); Judicial Council of California, *2006 Court Statistics Report* (2006), superior courts table 1, for total filings; and numbers of subordinate judicial officers (SJOs) and authorized FTEs from AOC Schedule 7A, *Salary and Position Worksheet* for fiscal year 2005–2006.

*Note:* N/A = not applicable; (i) = report incomplete or not submitted for a full year.

## California Judicial Branch

The California court system, with nearly 2,000 judicial officers, more than 19,000 court employees, and more than 9 million cases in over 451 court locations, and a 2004–2005 budget of more than \$1.7 billion, serves over 36 million people—12.2 percent of the total U.S. population.

### THE COURTS

#### California Supreme Court

- Hears oral arguments in San Francisco, Los Angeles, and Sacramento;
- Discretionary authority to review decisions of the Courts of Appeal; direct responsibility for automatic appeals after death penalty judgment ([www.courtinfo.ca.gov/courts/supreme/about.htm](http://www.courtinfo.ca.gov/courts/supreme/about.htm)).

#### Courts of Appeal

- Six districts, 19 divisions, 9 court locations;
- Reviews the majority of appealable orders or judgments from superior court ([www.courtinfo.ca.gov/courts/courtsofappeal/about.htm](http://www.courtinfo.ca.gov/courts/courtsofappeal/about.htm)).

#### Superior Courts

- 58 courts, one in each county, with from 1 to 55 branches;
- State and local laws define crimes and specify punishments, and define civil duties and liabilities ([www.courtinfo.ca.gov/courts/trial/about.htm](http://www.courtinfo.ca.gov/courts/trial/about.htm)).

### BRANCH AND ADMINISTRATION POLICY

#### Judicial Council of California

##### Administrative Office of the Courts

The Judicial Council is the constitutionally created 28-member policymaking body of the California courts; its staff agency is the Administrative Office of the Courts ([www.courtinfo.ca.gov/courtadmin/jc/](http://www.courtinfo.ca.gov/courtadmin/jc/)).

### BRANCH AGENCIES

#### Commission on Judicial

##### Appointments

Confirms gubernatorial appointments to the Supreme Court and appellate courts ([www.courtinfo.ca.gov/courtadmin/otheragencies.htm](http://www.courtinfo.ca.gov/courtadmin/otheragencies.htm)).

#### Commission on Judicial

##### Performance

Responsible for the censure, removal, retirement, or private admonishment of judges and commissioners. Decisions subject to review by California Supreme Court ([www.cjp.ca.gov/](http://www.cjp.ca.gov/)).

#### Habeas Corpus Resource Center

Handles state and federal habeas corpus proceedings; provides training, support for private attorneys who take these cases ([www.courtinfo.ca.gov/about/abouthcrc.htm](http://www.courtinfo.ca.gov/about/abouthcrc.htm)).

### RELATED ORGANIZATION

#### State Bar of California

Serves the Supreme Court in administrative and disciplinary matters related to attorneys ([www.calbar.ca.gov](http://www.calbar.ca.gov)).

## Mission and Goals of the Judicial Council of California

Under the leadership of the Chief Justice and in accordance with the California Constitution, the law, and the mission of the judiciary, the Judicial Council shall be responsible for setting the direction and providing the leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice.

The council's mission is carried out by pursuing these six strategic goals:

### **GOAL I:**

#### **ACCESS, FAIRNESS, AND DIVERSITY**

All Californians will have equal access to the courts and equal ability to participate in court proceedings, and will be treated in a fair and just manner. Members of the judicial branch community will reflect the rich diversity of the state's residents.

### **GOAL II:**

#### **INDEPENDENCE AND ACCOUNTABILITY**

The judiciary will be an institutionally independent, separate branch of government that responsibly seeks, uses, and accounts for public resources necessary for its support. The independence of judicial decision making will be protected.

### **GOAL III:**

#### **MODERNIZATION OF MANAGEMENT AND ADMINISTRATION**

Justice will be administered in a timely, efficient, and effective manner that utilizes contemporary management practices; innovative ideas; highly competent judges, other judicial officers, and staff; and adequate facilities.

### **GOAL IV:**

#### **QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC**

Judicial branch services will be responsive to the needs of the public and will enhance the public's understanding and use of and its confidence in the judiciary.

### **GOAL V:**

#### **EDUCATION**

The effectiveness of judges, court personnel, and other judicial branch staff will be enhanced through high-quality continuing education and professional development.

### **GOAL VI:**

#### **TECHNOLOGY**

Technology will enhance the quality of justice by improving the ability of the judicial branch to collect, process, analyze, and share information and by increasing the public's access to information about the judicial branch.

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